IN RE: PETITION FOR ZONING VARIANCE *

E/S Clarkview Road, 800' (+/-)

S of Falls Road * ZONING COMMISSIONER

BEFORE THE

1421 Clarkview Road

3rd Election District * OF BALTIMORE COUNTY

2nd Councilmanic District

Legal Owner: Bare Hills * Case No. 95-271-A

Business Center, LLC

Contract Purchaser: Lawrence *

G. Rief, Petitioner

* * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property located at 1421 Clarkview Road within the Bare Hills Industrial Park. The Petition is filed by the Bare Hills Business Center, LLC, by Lawrence G. Rief, member. Variance relief is requested from Section 409.8.A.4. of the Baltimore County Zoning Regulations (BCZR) to permit a front setback of 0 ft. in lieu of the required 10 ft. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the site plan.

Appearing at the requisite public hearing held for this case was Lawrence G. Rief on behalf of Bare Hills Business Center, LLC. Also present was Harvey Silbermann, the professional engineer who prepared the site plan. The Petitioner was represented by Robert A. Hoffman, Esquire. There were no interested persons or Protestants present.

Testimony and evidence presented was that the subject site is 3.922 acres in area and is split zoned M.L. and D.R.3.5. As noted above, the parcel is located within the Bare Hills Business Center. This center is located between Falls Road (Md. Route 25) and Interstate I-83 near the Robert E. Lee Park.

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ORDER RECEIVED FOR FILING
Date
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ed.

The site, as presented, is improved by a one and two story commercial building known as 1421 Clarkview Road. The industrial park was developed the late 1960s and the building was constructed in the early 1970s. Mr. Rief indicated that he desires to upgrade the building and improve vehicular access to same. Unlike nearly all of the other buildings within the industrial park, parking for the subject building is exclusively in the rear of the lot. Most other buildings have some parking in the front or on the side of their lots. In an effort to correct these conditions, Mr. Rief proposes installing a driveway and some parking in the front of Moreover, significant landscaping the site, as shown on the site plan. and other upgrades to the outside of the building will be installed. variances are necessary in view of the proposed driveway location and parking spaces in the front of the structure. This parking area and driveway will be located immediately adjacent to the property line and the 10 ft. front yard setback cannot be maintained.

A review of the plan proposed by the Petitioner as well as the comments offered at the hearing are persuasive that the Petitioner's proposed improvements will be of great benefit to not only this site but to the surrounding locale. The Petitioner has proposed a significant upgrade as it relates to landscaping and vehicular access to the site will be much easier.

Based on these considerations as well as all of the testimony and evidence offered, I am persuaded that the Petition for Variance should be granted. I am convinced that the Petitioner has satisfied his burden as required in Section 307 of the BCZR. It is also to be noted that the project enjoys the support of the Office of Planning and Zoning and that there were no Protestants. Thus, the Petition for Variance shall be grant-



DEDET, RECEIVED FOUNDS

A Zoning Plans Advisory Committee comment was received from the Developers Engineering Section of Baltimore County. That comment made several recommendations to the plan. Some of these will be incorporated by my Order. First, I will require the Petitioner to limit the 20 ft. wide access point to 16 ft. and the two other points of access shall be no greater than 35 ft. as requested by the Developers Engineering Section. The Petitioner indicated that these alterations were acceptable.

Secondly, the Petitioner agreed to retain a licensed tree expert to supervise the design and installation of the proposed paving in order to protect the existing trees and to submit a final landscape plan to the County's Landscape Architect. These conditions shall also be incorporated as a condition of the approval.

Third, technical changes to the plan showing the location of the existing fire hydrant and a verification that sufficient clearance exists for the proposed parallel parking spaces and existing hydrant will also be required. Although the three conditions set forth above will be incorporated, I will not require adherence to the comment related to the proposed traffic flow requested by Developers Engineering. This suggestions As shown on the plan, the new entrance will be on the inappropriate. north side of the site and will be the first turn available to motorists as they approach the property from Clarkview Road. Vehicles turning into the site at that location can park along the proposed new driveway or travel towards the rear of the site. Changing the traffic flow as requested by Developers Engineering would result in vehicles driving down Clarkview Road and then undertaking a "U" turn to go into the site. Moreover, increased traffic congestion would result on the southside of the site if that access point were retained as an entrance. Based on the comments by the property owner and his engineer, I am persuaded that the proposed traffic flow is more appropriate with existing usage and should be retained.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of March, 1995, that a variance from Section 409.8.A.4. of the Baltimore County Zoning Regulations (BCZR) to permit a front setback of 0 ft., in lieu of the required 10 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Petitioner shall limit the 20 ft. wide access point to 16 ft., and the two other points of access shall be no greater than 35 ft., as requested by Developers Engineering in their comment dated February 21, 1995.
- 3. The Petitioner shall provide a landscape plan to the Baltimore County Landscape Planner for approval. The approved landscape plan shall become a permanent part of the record and file in this matter.
- 4. The Petitioner shall amend the plan to show the location of the existing fire hydrant and verify that sufficient clearance exists for the proposed parallel parking spaces and existing hydrant.
- 5. The Petitioner shall retain a licensed tree expert to supervise the design and installation of the proposed new paving in order to protect, to the best extent possible, the existing trees on site.

6. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES/mmn

RDER PROSTED SOR FILING

Baltimore, County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

March 13, 1995

Robert A. Hoffman, Esquire Venable, Baetjer and Howard 210 Allegheny Avenue Towson, Maryland 21204

RE: Case No. 95-271-A
Petition for Zoning Variance
Bare Hills Business Center, LLC/ Lawrence G. Rief, Petitioner

Dear Mr. Hoffman

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

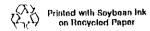
Very truly yours

Lawrence E. Schmidt Zoning Commissioner

LES:mmn att.

cc: Mr. Lawrence G. Rief

Service of the servic





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

1421 Clarkview Road

which is presently zoned

ML/DR3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

409.8.A.4 - To permit a front setback of zero (0) setback in lieu of the required ten (10) feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Property was purchased for rehabilitation and subdivision, to accommodate multi-tenant operation. Front parking and access is essential for this upscale use. This item to be discussed further at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

•	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
Lawrence G. Rief (Type or Print Nepre)	Bare Hills Business Center, LLC (Type or Punt Tame)
Signature	Signature
17 West Pennsylvania Avenue	Lawrence G. Rief, Member (Type or Print Mame)
Towson, Maryland 21204	lod
City State Zipcode	Semilyre
Attorney for Petitioner:	15 m
Robert A. Hoffman, Esquire	17 West Pennsylvania Avenue 296-4800 Address Phone No
Too Plan	Towson, Maryland 21204 City State Zipcode
Signature	Name, Address and phone number of representative to be contacted.
Venable, Baetjer and Howard 210 Allegheny Avenue 494-6262 Address Phone No. Towson, Maryland 21204	Lawrence G. Rief Name 17 West Pennsylvania Avenue
Towson, Maryland 21204 City State Zipcode	Towson, Maryland 21204 296-4800 Address Phone No.
	OFFICE USE ONLY
Applies Administration	ESTIMATED LENGTH OF HEARING unavailable for Hearing
$\langle G \rangle$	the following dates Next Two Months
Printed with Soybean Ink on Recycled Paper	REVIEWED BY: P.T. DATE Z-1-95
Topland Wester	ITEM# 268

175M #268 95-271-A

ZONING DESCRIPTION FOR # 1421 CLARKVIEW ROAD

BEGINNING AT A POINT ON THE EAST SIDE OF CLARKVIEW ROAD, WHICH

60 FEET WIDE AT THE DISTANCE OF 250 FEET SOUTH OF THE CENTERLINE OF CLARKVIEW COURT ,50 FEET WIDE. THE PARCEL IS PART OF SOUTHEASTERNMOST LOT ON A PLAT OF "NORTHERN CENTRAL DISTRIBUTION CENTER" , RECORDED IN PLAT BOOK # 29, FOLIO # 128, ALSO KNOWN AS # 1421 CLARKVIEW ROAD AND LOCATED IN THE THIRD ELECTION DISTRICT, SECOND COUNCILMANIC DISTRICT.

THENCE , PROCEEDING AROUND THE PROPERTY N 04 49' 52" W, 93.78', BY A CURVE TO THE RIGHT WITH A RADIUS OF 2,970.00 FEET AN ARC LENGTH OF 163.26 FEET , SUBTENDED BY A CHORD N 03 15' 23" W 163.23 ', N 02 40' 54" W 233.03', N 85 09'09" E 136.10' ,S 04 49' 52" E 154.34',N 37 01'28" E 24.99' \$ 54 47'32" E 160.00', N 37 01'32" E 50.00', N 37 01' 32"E 10.00' S 69 57'49" 280.50', S 35 17'28" W 88.48', S 54 47'32"E 50.00', S 71 20'08" W 426.53', N 85 46' 57" W 152.02 ' TO THE PLACE OF BEGINNING. Containing 3.922 acres +/-.



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 95-271-4

Townson, Maryland

District 3rd Posted for: Variance	Date of Posting 2/10/95
Posted for: Warlance	·
Petitioner: Bore Will Business Ctr, 140	t tow yours Rist
Location of property: 1421 Clark View Res	. *************************************
	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~
Location of Signa: Footing rood Wog	an proporty being toward
Remarks:	
Posted by Matheway	
Number of Signs:	MICHOLOGICA

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County with hold a public hearing on the property identified herein in Room 106 of the County Office Building, 11 W. Chesapeake Avenue in Towson, Maryland 21204 or Room, 118, Old Courthouse, 400 Washington

Avenue, Towson, Maryland 21204 as follows:

> Case: #95-271-A (Item 268) 1421 Clarkview Road Bare Hills Industrial Park E/S Clarkview Road, 800' + /- S of c/l Falls Road 3rd Election District 2nd Councilmanic Legal Owner: Bare Hills Business Center. LLC Contract Purchaser: Lawrence G. Rief Hearing: Friday, March 3, 1995 at 11:00 a.m. in Rm. 106, County Office Building

Variance to permit a front setback of zero (0) feet in lieu of the required ten (10) feet.

LAWRENCE E. SCHMIDT Zoning Commissioner for Bultimore County

capped Accessible; for special accommodations Please Call 887-3353.
(2)For Information concerning the File and/or Hearing, Please Call 887-3391.
2/188 February 16.

NOTES: (1) Hearings are Handi-

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/16	, 1995
THIS IS TO CERTIFY, that the annexed advertiser	nent was
published in THE JEFFERSONIAN, a weekly newspaper p	oublished
in Towson, Baltimore County, Md., once in each ofs weeks, the first publication appearing on Z / (&	uccessive
weeks, the first publication appearing on	, 1945
THE JEFFERSONIAN	•
a. Henriksa	L
LEGAL AD TOWSON	



P. A Dance Cleaner Zoniag Administration & Development Munagement 111 Cost Chesapeuko Avonao Townon, Maryland 21204

166611013 95-271-A

Account: R-001-6150

Number 266

BITT

Date FEB, 1, 1805

Lawrence Mais

020 - COMM. VAV - \$ 250 00 080 - SIGN - \$ 3500

TOTAL - \$ 285°

AND CONTRACTOR OF STREET

OTAGEROSTYMICHRE

3. But 110



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

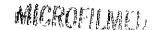
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 268
Petitioner:
Location:
PLEASE FORWARD ADVERTISING BILL TO: BARE HILLS BUSINESS CENTER, LLC
NAME: Lawrence G. Rief
ADDRESS: 17 West Pennsylvania Avenue, Towson, MD 21204
PHONE NUMBER: (410) 296-4800

AJ:ggs

(Revised 04/09/93)





TO: PUTUXENT PUBLISHING COMPANY
February 16, 1995 Issue - Jeffersonian

Please foward billing to:

Lawrence G. Rief
Bare Hills Business Center, LLC
17 W. Pennsylvania Avenue
Towson, MD 21204
410-296-4800

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

o

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-271-A (Item 268)

1421 Clarkview Road

Bare Hills Industrial Park

E/S Clarkview Road, 800'+/- S of c/l Falls Road

3rd Election District - 2nd Councilmanic Legal Owner: Bare Hills Business Center, LLC

Contract Purchaser: Lawrence G. Rief

HEARING: FRIDAY, MARCH 3, 1995 at 11:00 a.m. in Room 106, County Office Building

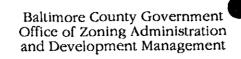
Variance to permit a front setback of zero (0) feet in lieu of the required ten (10) feet.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Bell Com Harry





111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

FEBRUARY 9, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeaka Avenue in Towson, Maryland 21204

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Contract Purchaser: Lawrence G. Rief

HEARING: FRIDAY, MARCH 3, 1995 at 11:00 a.m. in Room 106, County Office Building

Variance to permit a front setback of zero (0) feet in lieu of the required ten (10) feet.

Arnold Jablon

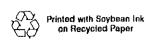
Director

Lawrence G. Rief/Bare Hills Business Center, LCC cc:

Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

February 24, 1995

Robert A. Hoffman, Esquire Venable, Baetjer and Howard 210 Allegheny Avenue Towson, Maryland 21204

RE: Item No.: 268

Case No.: 95-271-A

Petitioner: Lawrence G. Rief

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on February 01, 1995.

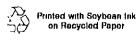
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

W. Carl Richards, Jr. Zoning Supervisor

WCR/jw
Attachment(s)

Block Stocker Strategers



Baltimore County Government Fire Department



700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 02716795

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Publishing
fowson, MD 21204
PAIL STOP-1105

RE: Property Owner: BARE HILLS BUSINESS CENTER, LLC

TODATION: F/S CLARKVIEW RD., 800' (4-) S OF CENTERLINE FALLS RD. (1421 CLARKVIEW RD. - BARE HILLS INDUSTRIAL PARK)

Itom No.: 268

Zoning Agenda: VARDANCE

Gentlemens

Funsuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

S. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard Mo. 101 "Life Safety Code", 1971 edition prior to occupancy.



ZADM

REVIEWER: LI. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cor fule



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration & Development Management FROM: Pat Keller, Director Office of Planning and Zoning DATE: February 10, 1995 SUBJECT: 1421 Clarkview Rd. INFORMATION: Item Number: 268 Petitioner: Bare Hills Business Center, Inc. Property Size: Zoning: ML & DR-3.5 Requested Action: Variance Hearing Date:

SUMMARY OF RECOMMENDATIONS:

Staff has met with the applicant's attorney, Mr. Robert Hoffman, to discuss the subject request. The variance, if granted, would not result in a negative impact to properties in the vicinity. In fact, the proposed site improvements, which include landscape enhancements, will result in an overall improvement to the site in general.

Prepared by: Jeffry W. Zong

Division Chief: (M

PK/JL

WICKOPILME:



O James Lighthizer Secretary Hal Kassoff Administrator

Ms. Joyce Watson Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re:

2-10-95Baltimore County

Item No.: +268(RT)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief Engineering Access Permits

BS/

A MARINE & ARREST

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TQ:

ZADM

DATE: FEB. 14 1995

FROM:

DEPRM

Development Coordination

SUBJECT:

Zoning Advisory Committee

Agenda: FEB. 13 1995

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 264

267

268

271

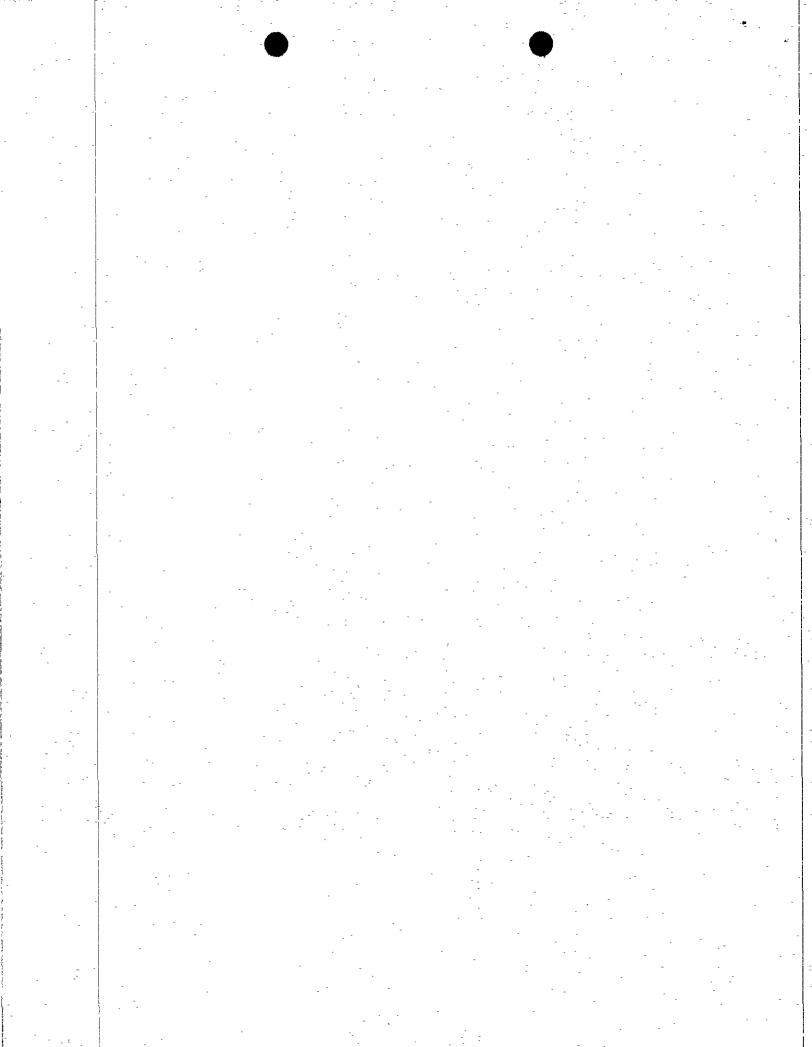
272

273

1. Bune Seeley

LS:sp

LETTY2/DEPRM/TXTSBP



ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

El Max Zemmerman

lax Timmerman

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue

Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28 day of February, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner.

PETER MAX ZIMMERMAN

BARE HILLS BUSINESS CENTER, LLC 17 WEST PENNSYLVANIA AVENUE FIFTH FLOOR BALTIMORE, MARYLAND 21204

LIIMURE, MARYLAND 21

410 296-4800

January 31, 1995

Mr. Reg Tanguilig-2ADM
Baltimore County Zoning Office
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

RE: Bare Hills Business Center, LLC

Petition for Variance

Dear Mr. Tanguilig:

Enclosed find application for front setback for above-referenced property.

- A. Three (3) original signed petition forms
- B. Twelve (12) copies of sealed plat with information
- C. Three (3) separate copies of sealed description of property
- D. One (1) copy of 1" equals 200' foot scale Official Zoning Map of subject property.
- E. Check in the amount of \$250.00 for variance fee.

If you need any additional information, please do not hesitate to call.

Thank you for your assistance in this matter.

Yours truly,

Lawrence G. Rief

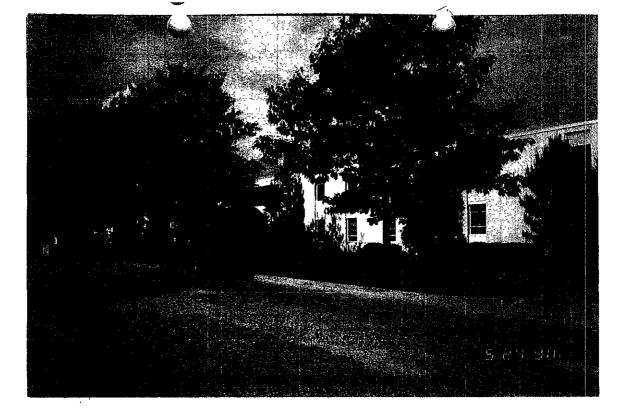
Member

LGR:pg

268

PETITIONER(S) SIGN-IN SHEET

\(\(\)\(\)\(\)\(\)\(\)\(\)\(\)\(\)\(\)\	ADDRESS
Rob Hoffman	401 Sath rome Arm un. 21204
de la	401 SOUTH NOTO ALTO MA ZIZOK
Daning Stillesmann)	3214 EAST JOPPA ROAD BALLO 2123
)	
Lawrence G. Riet	
·	
- And the second	
	W. W. C.

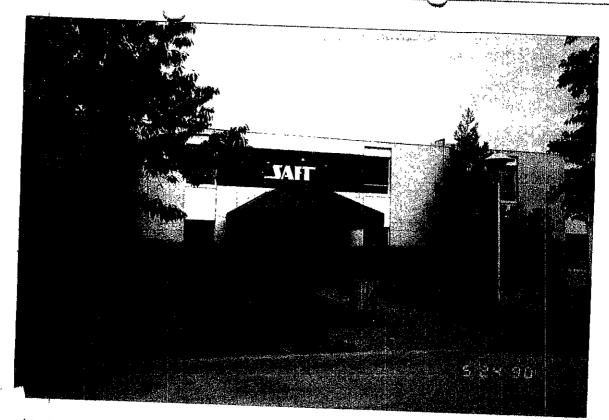


LEFT SIDE - FRONT OF BUILDING



PARKING LOT - REAR OF BUILDING

1421 CLARKVIEW BOAD,

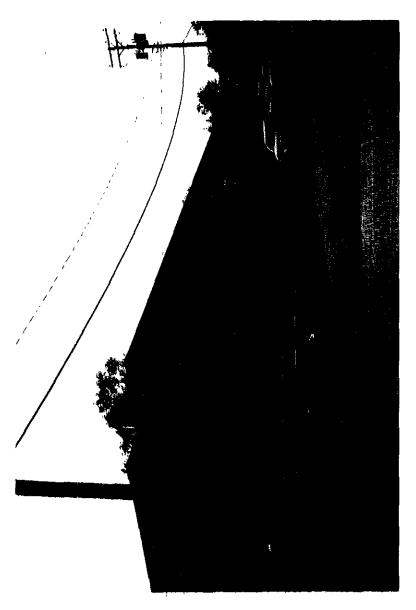


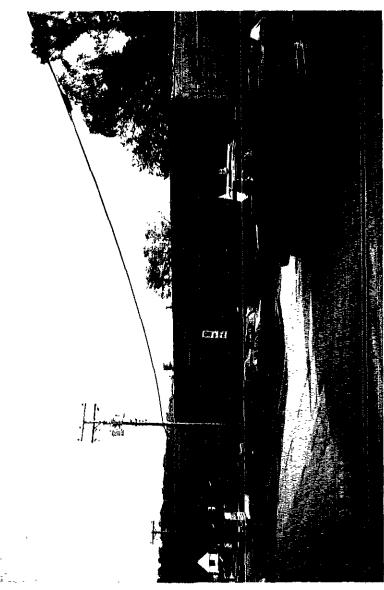
FRONT ENTRANCE OF BUILDING

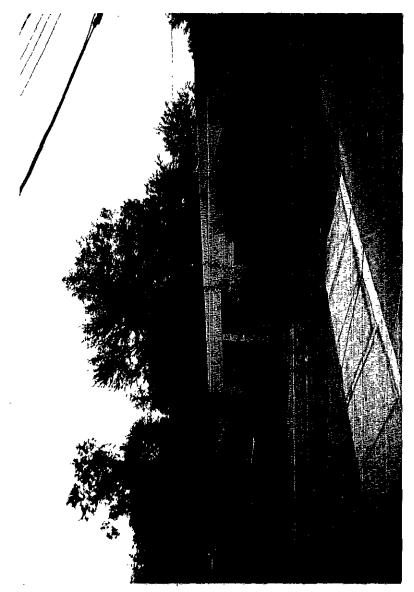
A Comment

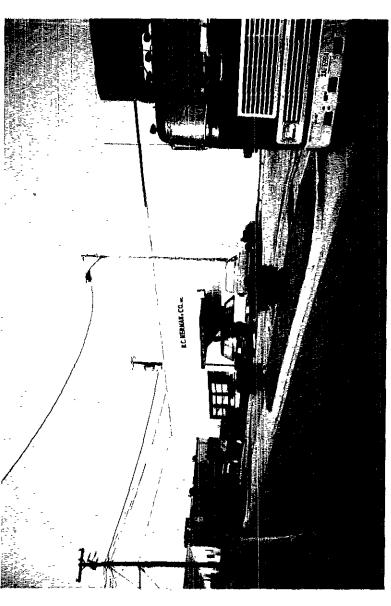
17EM # 268

BALTIMORE COUNTY, MARYLAND

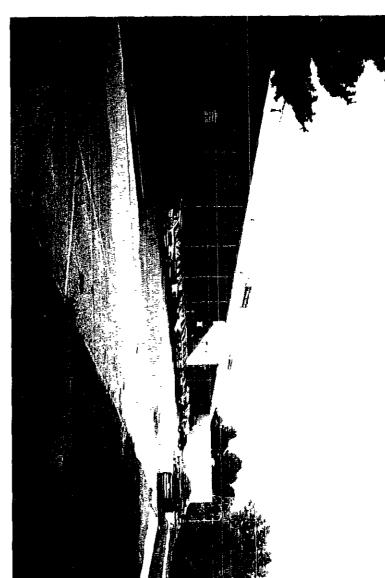




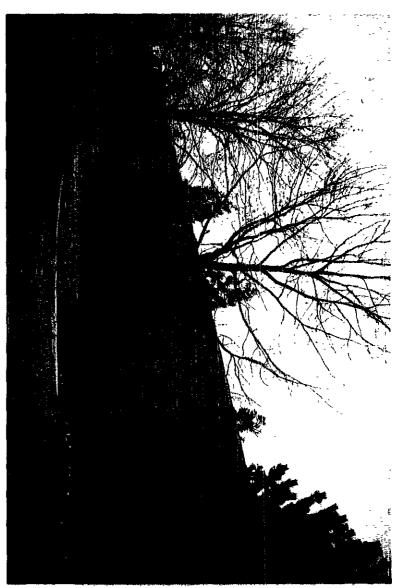


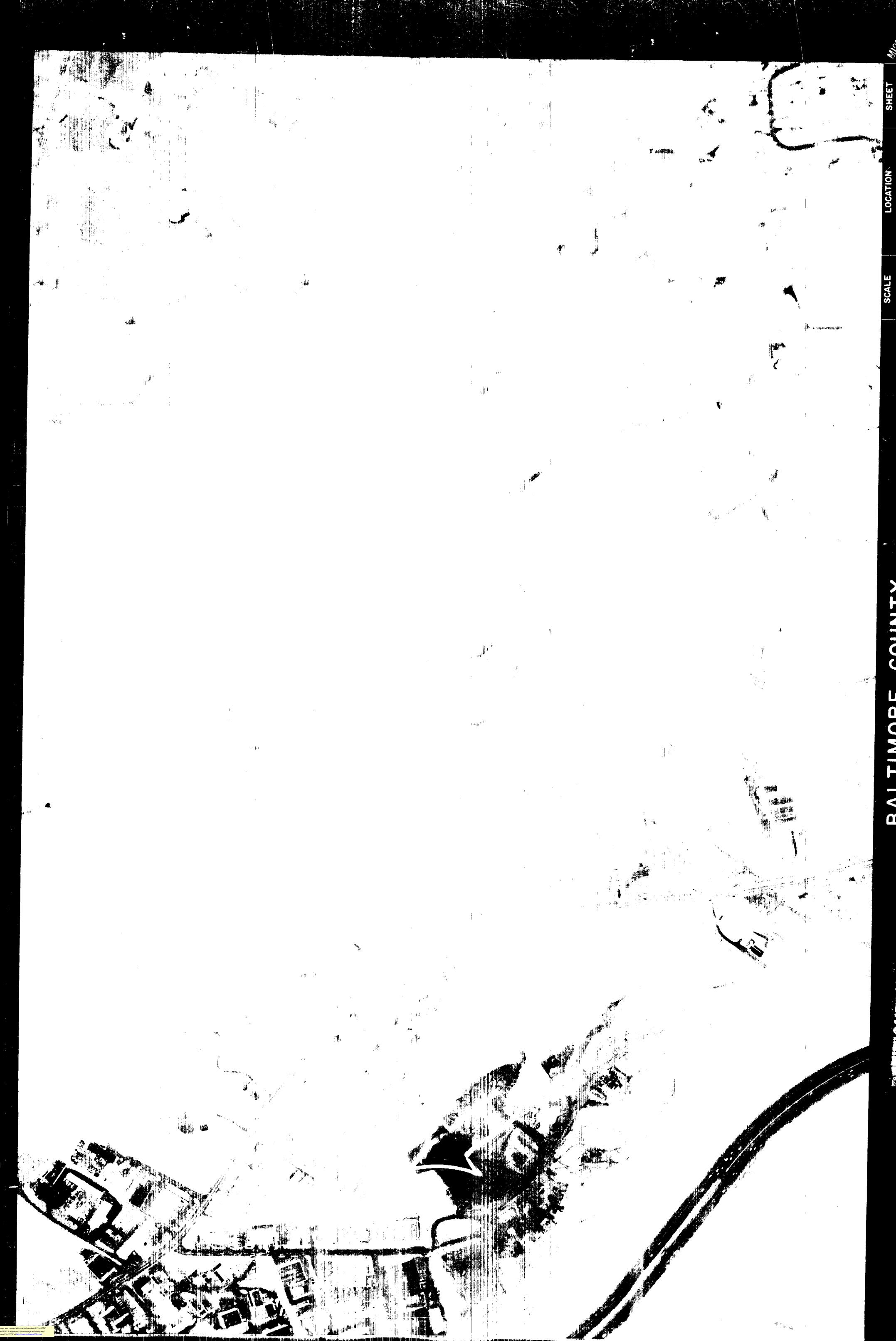










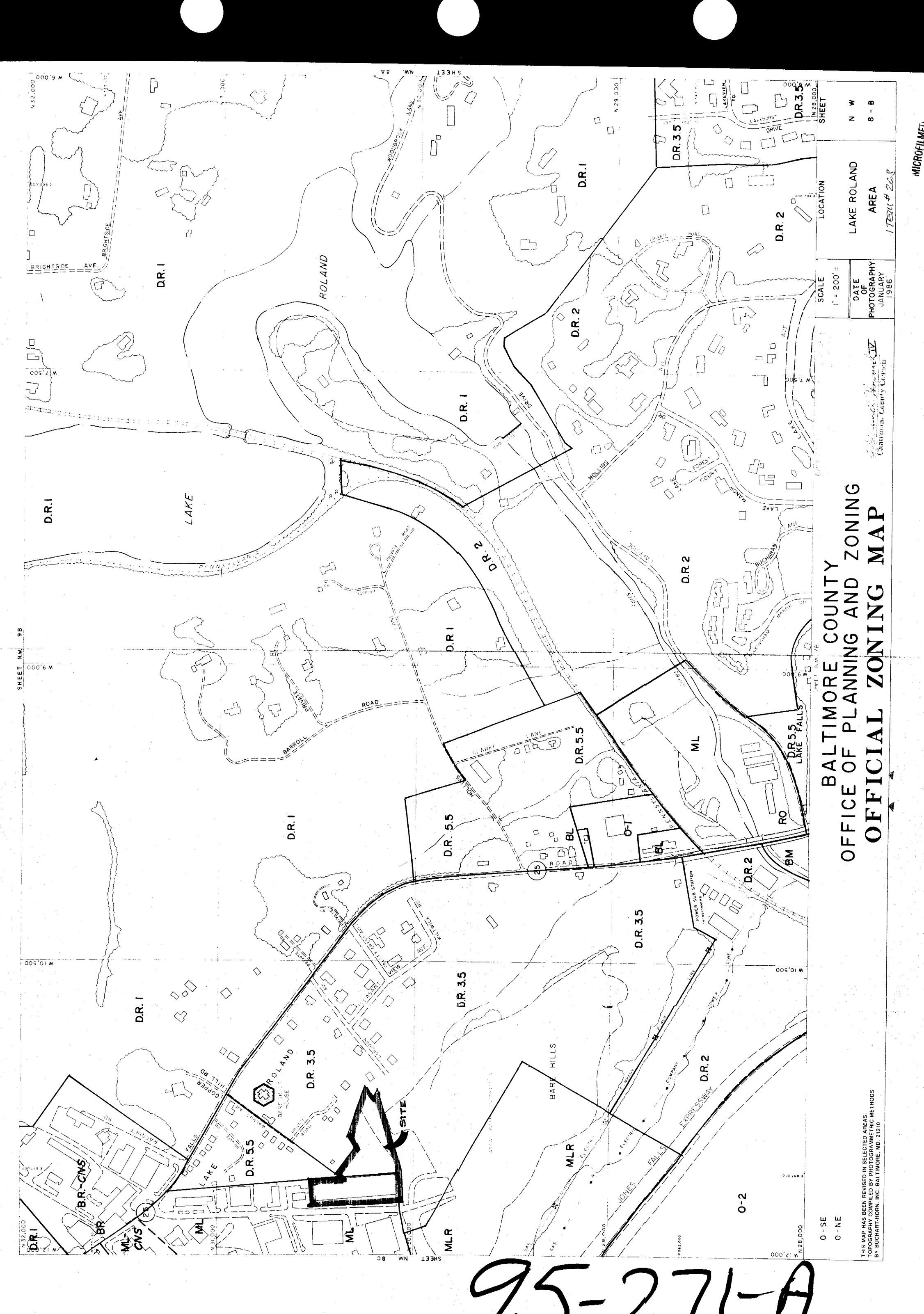


ZONING OFFICE OF PLANNING AND PHOTOGRAPHIC M

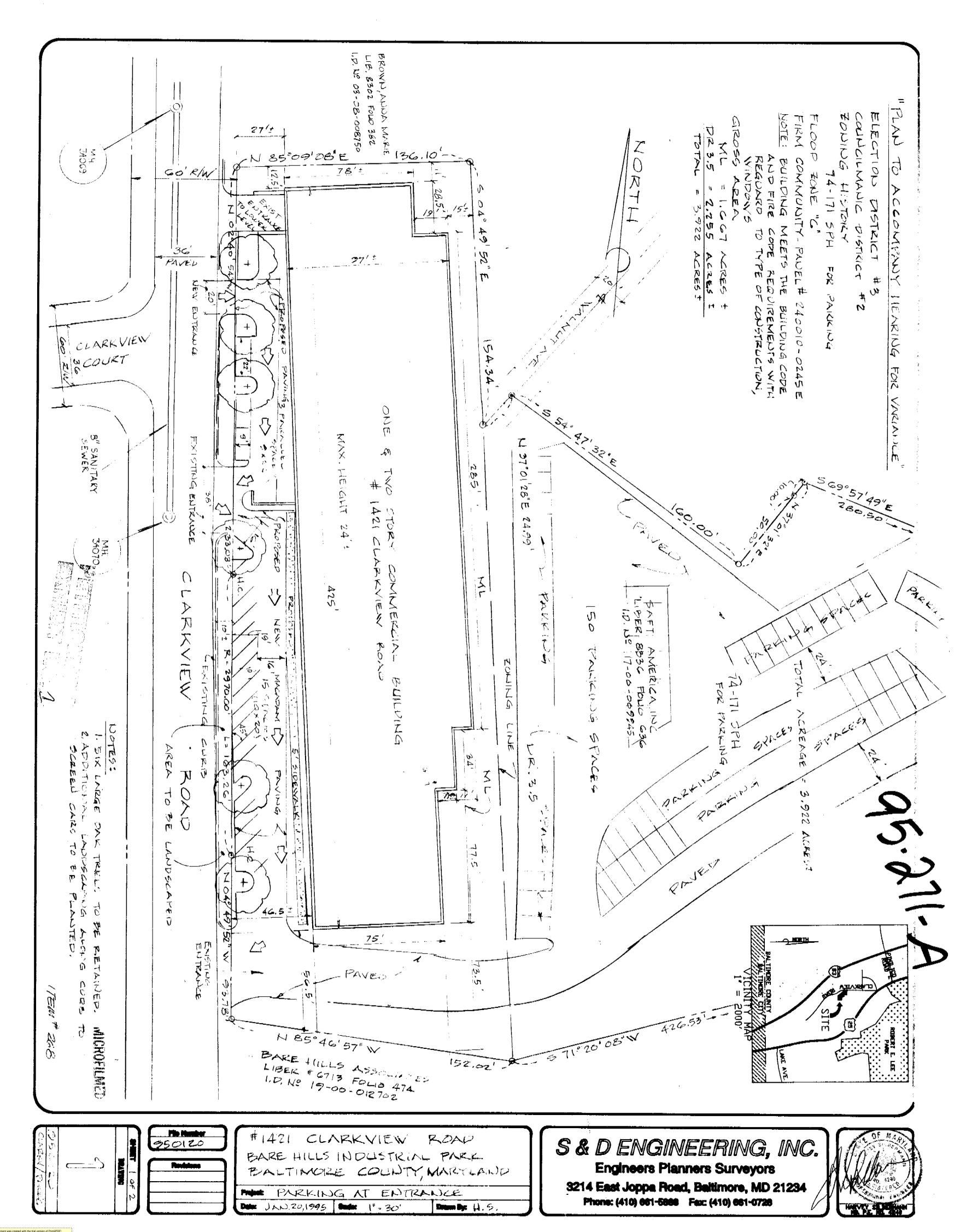
| = 200

AREA

AKE ROLAND



MICROFILMED



ZONING COMMISSIONER

* OF BALTIMORE COUNTY * Case No. 95-271-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * *

This matter comes before the Zoning Commissioner as a Petition for Variance for that property located at 1421 Clarkview Road within the Bare Hills Industrial Park. The Petition is filed by the Bare Hills Business Center, LLC, by Lawrence G. Rief, member. Variance relief is requested from Section 409.8.A.4. of the Baltimore County Zoning Regulations (BCZR) to permit a front setback of 0 ft. in lieu of the required 10 ft. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the site plan.

Appearing at the requisite public hearing held for this case was Lawrence G. Rief on behalf of Bare Hills Business Center, LLC. Also present was Harvey Silbermann, the professional engineer who prepared the site plan. The Petitioner was represented by Robert A. Hoffman, Esquire. There were no interested persons or Protestants present.

Testimony and evidence presented was that the subject site is 3.922 acres in area and is split zoned M.L. and D.R.3.5. As noted above, the parcel is located within the Bare Hills Business Center. This center is located between Falls Road (Md. Route 25) and Interstate I-83 near the Robert E. Lee Park.

The site, as presented, is improved by a one and two story commercial building known as 1421 Clarkview Road. The industrial park was developed in the late 1960s and the building was constructed in the early 1970s. Mr. Rief indicated that he desires to upgrade the building and improve vehicular access to same. Unlike nearly all of the other buildings within the industrial park, parking for the subject building is exclusively in the rear of the lot. Most other buildings have some parking in the front or on the side of their lots. In an effort to correct these conditions. Mr. Rief proposes installing a driveway and some parking in the front of the site, as shown on the site plan. Moreover, significant landscaping and other upgrades to the outside of the building will be installed. The variances are necessary in view of the proposed driveway location and parking spaces in the front of the structure. This parking area and driveway will be located immediately adjacent to the property line and the 10 ft. front yard setback cannot be maintained.

A review of the plan proposed by the Petitioner as well as the comments offered at the hearing are persuasive that the Petitioner's proposed improvements will be of great benefit to not only this site but to the surrounding locale. The Petitioner has proposed a significant upgrade as it relates to landscaping and vehicular access to the site will be much

Based on these considerations as well as all of the testimony and evidence offered, I am persuaded that the Petition for Variance should be granted. I am convinced that the Petitioner has satisfied his burden as required in Section 307 of the BCZR. It is also to be noted that the project enjoys the support of the Office of Planning and Zoning and that there were no Protestants. Thus, the Petition for Variance shall be grant-

A Zoning Plans Advisory Committee comment was received from the Developers Engineering Section of Baltimore County. That comment made several recommendations to the plan. Some of these will be incorporated by my Order. First, I will require the Petitioner to limit the 20 ft. wide access point to 16 ft. and the two other points of access shall be no greater than 35 ft. as requested by the Developers Engineering Section. The Petitioner indicated that these alterations were acceptable.

Secondly, the Petitioner agreed to retain a licensed tree expert to supervise the design and installation of the proposed paving in order to protect the existing trees and to submit a final landscape plan to the County's Landscape Architect. These conditions shall also be incorporated as a condition of the approval.

Third, technical changes to the plan showing the location of the existing fire hydrant and a verification that sufficient clearance exists for the proposed parallel parking spaces and existing hydrant will also be required. Although the three conditions set forth above will be incorporated, I will not require adherence to the comment related to the proposed traffic flow requested by Developers Engineering. This suggestions is inappropriate. As shown on the plan, the new entrance will be on the north side of the site and will be the first turn available to motorists as they approach the property from Clarkview Road. Vehicles turning into the site at that location can park along the proposed new driveway or travel towards the rear of the site. Changing the traffic flow as requested by Developers Engineering would result in vehicles driving down Clarkview Road and then undertaking a "U" turn to go into the site. Moreover, increased traffic congestion would result on the southside of the site if that access point were retained as an entrance. Based on the comments by the property owner and his engineer, I am persuaded that the

proposed traffic flow is more appropriate with existing usage and should be retained

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5 day of March, 1995 that a variance from Section 409.8.A.4. of the Baltimore County Zoning Regulations (BCZR) to permit a front setback of 0 ft., in lieu of the required 10 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

> 1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall limit the 20 ft. wide access point to 16 ft., and the two other points of access shall be no greater than 35 ft., as requested by Developers Engineering in their comment dated February 21, 1995

3. The Petitioner shall provide a landscape plan to the Baltimore County Landscape Planner for approval. The approved landscape plan shall become a permanent part of the record and file in this matter.

4. The Petitioner shall amend the plan to show the location of the existing fire hydrant and verify that sufficient clearance exists for the proposed parallel parking spaces and existing

5. The Petitioner shall retain a licensed tree expert to supervise the design and installation of the proposed new paving in order to protect, to the best extent possible, the existing trees on site.

6. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

for Baltimore County

Baltimore, County Governmer Zoning Commissioner Office of Planning and Zoning

(410) 887-4386

March 13, 1995

Robert A. Hoffman, Esquire Venable, Baetjer and Howard 210 Allegheny Avenue Towson, Maryland 21204

Suite 112 Courthouse

400 Washington Avenue Towson, MD 21204

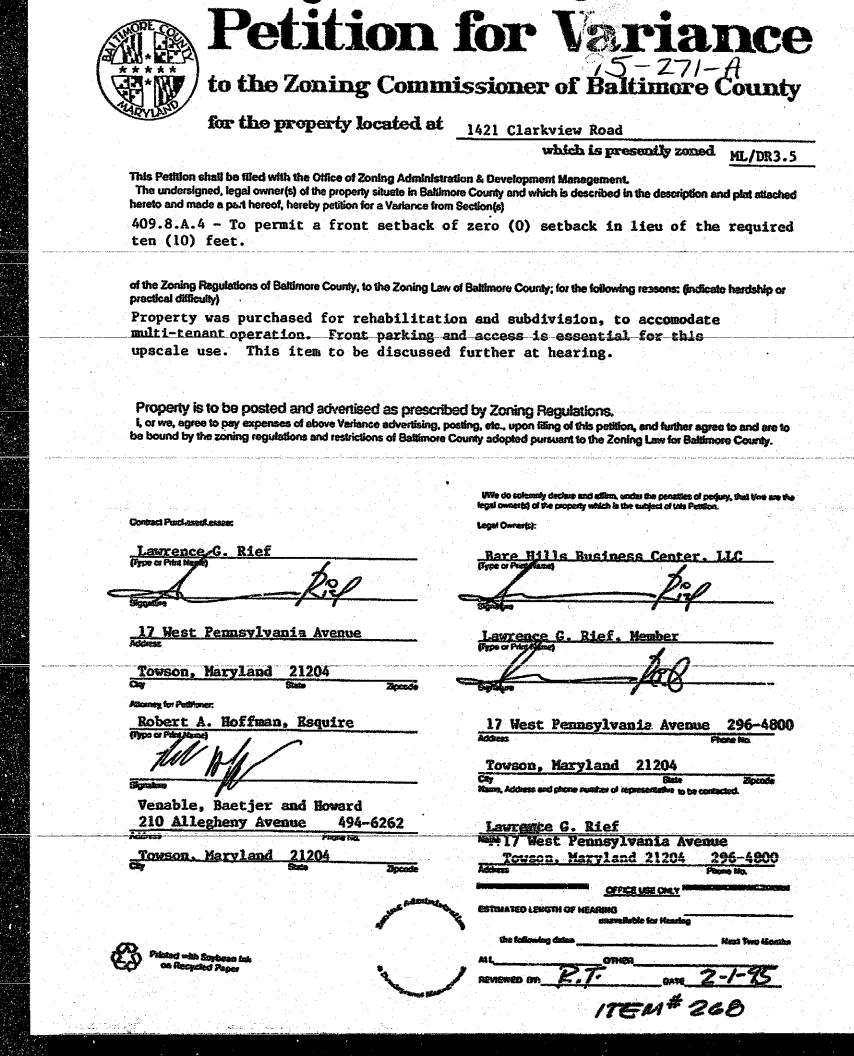
Dear Mr. Hoffman

RE: Case No. 95-271-A Petition for Zoning Variance Bare Hills Business Center, LLC/ Lawrence G. Rief, Petitioner

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

LES:mm



95-271-A

ZONING DESCRIPTION FOR # 1421 CLARKVIEW ROAD

BEGINNING AT A POINT ON THE EAST SIDE OF CLARKVIEW ROAD, WHICH

IS 60 FEET WIDE AT THE DISTANCE OF 250 FEET SOUTH OF THE CENTERLINE OF CLARKVIEW COURT , 50 FEET WIDE. THE PARCEL IS PART OF THE SOUTHEASTERNMOST LOT ON A PLAT OF "NORTHERN CENTRAL DISTRIBUTION CENTER" , RECORDED IN PLAT BOOK # 29, FOLIO # 128, ALSO KNOWN AS \$ 1421 CLARKVIEW ROAD AND LOCATED IN THE THIRD BLECTION DISTRICT, SECOND COUNCILMANIC DISTRICT.

THENCE , PROCEEDING AROUND THE PROPERTY N 04 49' 52" W. 93.78', BY A CURVE TO THE RIGHT WITH A RADIUS OF 2,970.00 FEET AN ARC LENGTH OF 163.26 FEET , SUBTENDED BY A CHORD N 03 15' 23" H 163.23 ' ,N 02 40' 54" W 233.03', N 85 09'09" B 136.10' ,8 04 49' 52" E 154.34',N 37 01'28" E 24.99' 5 54 47'32" E 160.00', N 37 01'32" E 50.00',N 37 01' 32"E 10.00' 8 69 57'49" 280.50',8 35 17'28" W 88.48',8 54 47'32"E 50.00', 8 71 20'08" W 426.53', N 85 46' 57" W 152.02 ' TO THE PLACE OF BEGINNING. Containing 3.922 acres +/-.



D C C

ZONING DEPARTMENT OF BALTIMORE COUNTY 95-271-A

Posted for: Variance	Date of Posting 2/10/95
Petitioner: Bore Hill Business Ctr, 11	Ct Lew rome Riof
	, ax property being round
Remarks:	·
and a second	Date of return: 3/12/15

NOTICE OF REARING. Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 of Room 118, Old Bourthouse, 400 Washington

3

Case: #95-271-A
(Item 268)
1421 Clarkview Road
Bare Hills Industrial Park
E/S Clarkview Road
809'+/-8 of c/i Falls Road
3rd Election District
2nd Councilmanto
Legal Owner:
Eare Hills Business Center, LLC
Contract Purchaser:
Lawrence G. Rief
Hearing: Friday,
March 3, 1995 at 11:0
a.m. in Rm. 106, County O
Itee Building Variance to permit a from selback of zero (0) feet in lie of the required ten (10) feet.

LAWRENCE E. SCHMID? Zoning Commissioner fo Baltimore County

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on 2114, 1995

THE JEFFERSONIAN.

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

PERRUARY 9, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthous), 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-271-A (Item 268) 1421 Clarkview Road Bare Hills Industrial Park B/S Clarkview Road, 800'+/- S of o/1 Ralls Road

3rd Election District - 2nd Councilmanic Legal Owner: Bare Hills Business Center, LLC Contract Purchaser: Lawrence G. Rief HEARING: FRIDAY, MARCH 3, 1995 at 11:00 a.m. in Room 105, County Office Building

Variance to permit a front setback of zero (0) feet in lieu of the required ten (10) feet.

cc: Lawrence G. Rief/Bare Hills Business Center, MCC Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104. 111 W. CHESAPEAKE AVENUE ON THE HEADTON DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Caltimore County

Zoning Administration & Development Management
111 West Chesapeake Avenue
Townen, Maryland 21204



Number 268

fqieee

95-271-1

Date FEB, 1, 1995 Laurence Die.

1421 Clarkview Ed.

020 - Comm. Var - \$ 250 00 080 - SIGN - \$ 2500

01A01#0377MICHRC

Baltimore County Government Office of Zoning Administration

February 24, 1995

RE: Item No.: 268

The Zoning Advisory Committee (ZAC), which consists of representa-

Any comments submitted thus far from the members of ZAC that offer or

tives from Baltimore County approving agencies, has reviewed the plans

submitted with the above referenced petition. Said petition was accepted

for processing by, the Office of Zoning Administration and Development

request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested,

but to assure that all parties; i.e., zoning commissioner, attorney,

petitioner, etc. are made aware of plans or problems with regard to the

proposed improvements that may have a bearing on this case. Only those

comments that are informative will be forwarded to you; those that are not

Management (ZADM), Development Control Section on February 01, 1995.

Case No.: 95-271-A

Petitioner: Lawrence G. Rief

and Development Management

111 West Chesapeake Avenue

Robert A. Hoffman, Esquire

210 Allegheny Avenue

Towson, Maryland 21204

Venable, Baetjer and Howard

Towson, MD 21204

Baltimore County Government Office of Zoning Administration and Development Management



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property

which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

For newspaper advertising: Item No.: 268

PLEASE FORWARD ADVERTISING BILL TO: BARE HILLS BUSINESS CENTER, LLC NAME: Lawrence G. Rief

PHONE NUMBER: (410) 296-4800

ADDRESS: 17 West Pennsylvania Avenue, Towson, MD 21204

(Revised 04/09/93)

13

TO: PUTUXENT PUBLISHING COMPANY February 16, 1995 Issue - Jeffersonian

Please foward billing to:

Lawrence 6. Rief Bare Hills Business Center, LLC 17 W. Pennsylvania Avenue Towson, ND 21204

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-271-A (Item 268) 1421 Clarkview Road Bare Hills Industrial Park B/S Clarkview Road, 800'+/- S of c/l Falls Road 3rd Election District - 2nd Councilmanic Legal Owner: Bare Hills Business Center, LLC Contract Purchaser: Lawrence G. Rief HEARING: FRIDAY, MARCH 3, 1995 at 11:00 a.m. in Room 106, County Office Suilding

Variance to permit a front setback of zero (0) feet in lieu of the required ten (10) feet.

LAWRENCE B. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Feb. 21, 1995 Zoning Administration and Development Management FROM: Deboert W. Bowling, P.E., Chief Developers Engineering Section

Zoning Advisory Committee Meeting for February 21, 1995 Item No. 268

The Developers Engineering Section has reviewed the subject zoning item. Show the location of the existing fire hydrant along the Clarkview Road entrance to the site. Also, verify the clearance at the proposed parallel parking ζ space and existing hydrant.

A licensed tree expert should supervise the design and installation of the proposed paving in order to protect the existing trees as much as possible. A final landscape plan must be approved as a condition of releasing the grading

The proposed traffic flow must be reversed and appropriate signs shall be posted to clarify the directions of traffic flow.

The proposed 20-foot wide access shall be reduced to 16 feet, and the two other points of access must be 35 feet wide maximum.

700 East Joppa Road Suite 901 Towson, MD 21286-5500

(410) 887-4500

DATE: 02/16/95

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: BARE HILLS BUSINESS CENTER, LLC

LCCATION: E/S CLAFKVIEW RD., 800' (++) S CF CENTERLINE FALLS RD. (1421 CLAREVIEW RD. - BARE HILLS INDUSTRIAL PARK)

Item No.: 268

Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code". 1991 edition prior to occupancy.



REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

informative will be placed in the permanent case file.

(410) 887-3353

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration & Development Management

FROM: Pat Keller, Director Office of Planning and Zoning

DATE: February 10, 1995 SUBJECT: 1421 Clarkview Rd.

INFORMATION:

Item Number:

Bare Hills Business Center, Inc. Petitioner: Property Size:

SUMMARY OF RECOMMENDATIONS:

Staff has met with the applicant's attorney, Mr. Robert Hoffman, to discuss the subject request. The variance, if granted, would not result in a negative impact to properties in the vicinity. In fact, the proposed site improvements, which include landscape enhancements, will result in an overall improvement to the site

1TEM268/PZONE/TXTJWL

Pg. 1

Maryland Department of Transportation State Highway Administration

O James Lighthizer Secretary Hal Kassoff Administrator

2-10-95

Re: Baltimore County
Item No.: +268 (RT) Ms. Joyce Watson Zoning Administration and Development Management
County Office Building

Dear Ms. Watson:

Towson, Maryland 21204

111 W. Chesapeake Avenue

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

My telephone number is _____ Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTYMORE COUNTY, MARY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

DATE: FEB. 14, 1995

Development Coordination SUBJECT: Zoning Advisory Committee Agenda: *FEB. 13, 1995*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 264

LS:sp

LETTY2/DEPRM/TXTSBP

RE: PETITION FOR VARIANCE BEFORE THE 1421 Clarkview Road, Bare Hills Industrial Park, E/S Clarkview Road, 800'+/- S of * ZONING COMMISSIONER c/l Falls Road, 3rd Election District, 2nd Councilmanic OF BALTIMORE COUNTY Bare Hills Business Center, LLC CASE NO. 95-271-A Petitioner
* * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Chible S. Denulis CAROLE S. DEMILIO Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28 day of February, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner.

BARE HILLS BUSINESS CENTER, LLC 17 WEST PENNSYLVANIA AVENUE FIFTH FLOOR BALTIMORE, MARYLAND 21204

410 296-4800

January 31, 1995

Mr. Reg Tanguilig-2ADM
Baltimore County Zoning Office County Office Building 111 W. Chesapeake Avenue Towson, MD 21204

RE: Bare Hills Business Center, LLC Petition for Variance

Dear Mr. Tanguilig:

Enclosed find application for front setback for above-referenced property.

- A. Three (3) original signed petition forms
- Twelve (12) copies of sealed plat with information
- C. Three (3) separate copies of sealed description of property
- D. One (1) copy of 1" equals 200' foot scale Official Zoning Map
- E. Check in the amount of \$250.00 for variance fee.

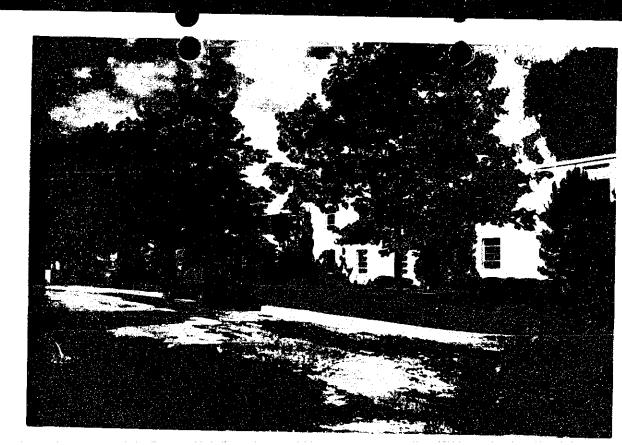
If you need any additional information, please do not hesitate to call.

Thank you for your assistance in this matter.

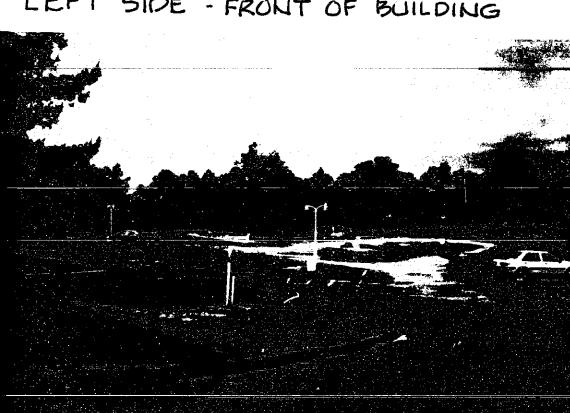
LGR:pg

268

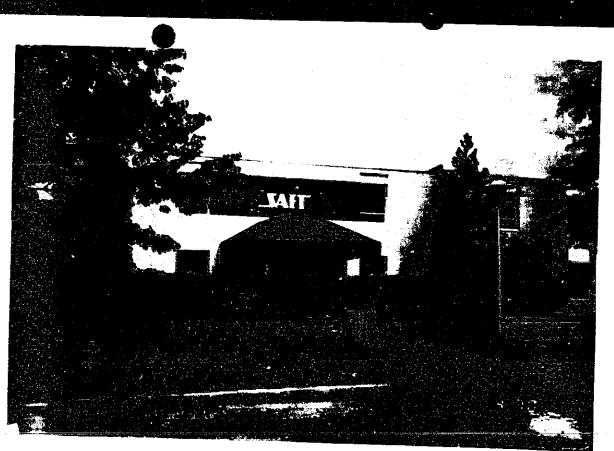
PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET 401 Sam non Alm un 21208 3214 EAST JOPPA ROAD BAUTO 21234 Lawrence G. Riet



LEFT SIDE - FRONT OF BUILDING



PARKING LOT - REAR OF BUILDING



FRONT ENTRANCE OF BUILDING

ITEM * 268

1421 CLARKVIEW ROAD , BALTIMORE COUNTY, MARYLAND

